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U.S. BANK NATIONAL ASSOCIATION,	:	
	:	
Plaintiff,	:	
	:	
-against-	:	
	:	14 Civ. 04703 (SJF) (GRB)
SUN LIFE ASSURANCE COMPANY OF CANADA,	:	
	:	
Defendant.	:	
	:	
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Alyssa J. Astiz declares under penalty of perjury as follows:

1. I am a member of the bar of the United States District Court for the Eastern District of New York, and a member of the law firm of Curtis, Mallet-Prevost, Colt & Mosle LLP, attorneys for plaintiff and counter-claim defendant U.S. Bank National Association (“U.S. Bank”). I am familiar with the facts of this case.

2. I respectfully submit this Declaration in support of plaintiff and counter-claim defendant U.S. Bank National Association's Motion for Summary Judgment, dated January 26, 2016 ("Motion for Summary Judgment"). The purpose of this Declaration is to put before the court excerpts of certain deposition transcripts and other documents that are cited in the accompanying Statement of Undisputed Material Facts in Support of its Motion for Summary Judgment Pursuant to Local Civil Rule 56.1.

3. Attached hereto as Exhibit SSS is a true and correct copy of the Declaration of Amy Welsh, dated February 18, 2016.

4. Attached hereto as Exhibit TTT is a true and correct copy of a Sun Life application document dated November 3, 2005, and produced as Sun Life (Van de Wetering) – 1000082-85.

5. Attached hereto as Exhibit UUU is a true and correct copy of an email with the subject line “Peter Van de Wetering” dated December 30, 2006, and produced as M002129.

6. Attached hereto as Exhibit VVV is true and correct copy of Peter Van de Wetering’s Probate File, filed August 8, 2014, and produced as Sun Life (Van de Wetering) 1014316-28.

7. Attached hereto as Exhibit WWW is a true and correct copy of Peter Van de Wetering’s signed Disclosure Statement, dated October 19, 2005, and produced as M003871-3874.

8. Attached hereto as Exhibit XXX is a true and correct copy of a Sun Life Financial “Life Insurance *Premium* Financing, The Capital Maximization Strategy with Sun Life Financial” Client Guide and produced as Sun Life (Van de Wetering) – 0001755-1764.

9. Attached hereto as Exhibit YYY is a true and correct copy of an email the subject line “Fw: Premium Finance Programs” dated May 10, 2007, and produced as Sun Life (Van de Wetering) – 0001766-1767.

10. Attached hereto as Exhibit ZZZ is a true and correct copy of an email chain with the subject line “Van de Wetering, Peter” dated November 5, 2007, and produced as CF_VDW000278-282.

11. Attached hereto as Exhibit AAAA is a true and correct copy of an email chain with the subject line “Van de Wetering, Peter” dated November 6, 2007, and produced as CF_VDW000303-307.

12. Attached hereto as Exhibit BBBB is a true and correct copy of an email chain with the subject line “Van de Wetering, Peter” dated November 6, 2007, and produced as CF_VDW000316-319.

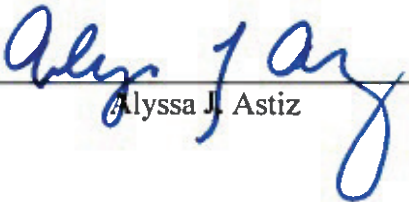
13. Attached hereto as Exhibit CCCC is a true and correct copy of an email chain with the subject line “Peter Van De Wetering – 25m” dated November 9, 2007, and produced as CF_VDW000372-73.

14. Attached hereto as Exhibit DDDD is a true and correct copy of an email chain with the subject line “Van de Wetering” dated November 21, 2007, and produced as CF_VDW000433-435.

15. Attached hereto as Exhibit EEEE is a true and correct copy of a letter from Kim Rogers of Coventry Capital to Bruce Mactas dated November 29, 2007, and produced as CF_VDW000478-481.

I declare under penalty of perjury that the foregoing is true and correct.

Dated February 19, 2016


Alyssa J. Astiz